



## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled METHOD AND SYSTEM FOR ACCESSING SUBTERRANEAN DEPOSITS FROM THE SURFACE AND TOOLS THEREFOR, the specification of which (check one):

\_\_\_\_\_ is attached hereto;

X was filed on July 29, 2003 as Application Serial No. 10/630,345;

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's certificate issued prior to the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Date Filed	Priority Claimed (Yes) (No)
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-----NONE-----

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Application Serial Number</u>	<u>Date Filed</u>	<u>Status</u>
10/165,627	06/07/2002	Pending
09/789,956	02/20/2001	Issued 11/12/2002 U.S. Pat. No. 6,478,085
09/444,029	11/19/1999	Issued 03/19/2002 U.S. Pat. No. 6,357,523
09/197,687	11/20/1998	Issued 08/28/2001 U.S. Pat. No. 6,280,000
09/774,996	01/30/2001	Pending
10/123,561	04/15/2002	Pending
09/773,217	01/30/2001	Issued 07/30/2002 U.S. Pat. No. 6,425,448
09/885,219	06/20/2001	Issued 05/13/2003 U.S. Pat. No. 6,561,288
10/046,001	10/19/2001	Pending
10/079,794	02/19/2002	Pending
10/004,316	10/30/2001	Pending
10/160,425	05/31/2002	Pending

10/194,366	07/12/2002	Pending
10/227,057	08/22/2002	Pending
10/323,192	12/18/2002	Pending
09/788,897	02/20/2001	Pending
10/264,535	10/03/2002	Pending
10/244,082	09/12/2002	Pending
09/769,098	01/24/2001	Pending
09/696,338	10/24/2000	Issued 09/24/2002 U.S. Pat. No. 6,454,000
10/003,917	11/01/2001	Pending

I hereby appoint:

**05073**

Practitioners at Customer Number

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Terry J. Stalford  
The above-mentioned Customer Number

Direct Telephone Calls To:

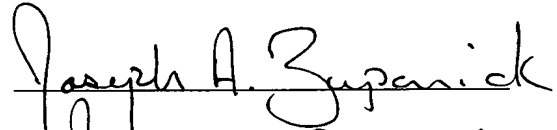
Terry J. Stalford  
at 214.953.6477  
Atty. Docket No. 067083.0205

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of inventor:

Joseph A. Zupanick

Inventor's signature

  
\_\_\_\_\_  
January 8, 2004

Date

Residence (City, County, State)

Pineville, Wyoming County,  
West Virginia

Citizenship

United States of America

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